

Lincoln Police Department
Thomas K. Casady, Chief of Police
575 South 10th Street
Lincoln, Nebraska 68508

402-441-7204
fax: 402-441-8492



MAYOR COLEEN J. SENG

lincoln.ne.gov

April 25, 2006

Mayor Seng and City Council
City of Lincoln
City County Building
Lincoln, NE

Mayor Seng and Members of the City Council:

An investigation has been made regarding the application of Red Fox Westside Grille, 1339 West 'O' Street requesting an addition to their current liquor license I-22503.

They have requested that the existing beer garden, which is located to the south side of the business be expanded by approximately 38 x 64 foot. The total area after the expansion will measure approximately 64 x 65 foot.

For Council's information, the owners of the business remain the same, and background information on the owners is on file.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

THOMAS K. CASADY, Chief of Police



A nationally accredited law enforcement agency





Russ
Dave Heineman
Governor

Set date: 5-1-06
PH: 5-15-06
STATE OF NEBRASKA

NEBRASKA LIQUOR CONTROL COMMISSION
Hobert B. Rupe
Executive Director
301 Centennial Mall South, 5th Floor
P.O. Box 95046
Lincoln, Nebraska 68509-5046
Phone (402) 471-2571
Fax (402) 471-2814
TRS USER 800 833-7352 (TTY)
web address: <http://www.lcc.ne.gov/>

FILED

APR 24 2006

April 21, 2006

Lincoln City Clerk
555 S. 10th Street
Lincoln, NE 68508

CITY CLERK'S OFFICE
LINCOLN, NEBRASKA

A6-041043
14P

RE: RFox, Inc., DBA Red Fox Westside Grille, Liquor License #I-22503

The above referenced licensee has submitted a request for an **addition/reconstruction to 1339 West "O" Street, Lincoln, NE 68528, known as Red Fox Westside Grille. Adding area approx. 38' x 64' onto south side of beer garden.**

Please present this request to your board and send us the results of that action.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION


Katie Lanning
Licensing Division

kl

cc: file

Rhonda R. Flower
Commissioner

Bob Logsdon
Chairman

R.L. (Dick) Coyne
Commissioner

PLEASE COMPLETE AND RETURN TO:
NE LIQUOR CONTROL COMMISSION
PO BOX 95046
LINCOLN, NE 68509-5046

RECEIVED

APR 20 2006

NEBRASKA LIQUOR
CONTROL COMMISSION

FEE OF \$45.00 REQUIRED

LICENSEE'S NAME: RFOX Inc.

TRADE NAME: Red Fox

PREMISE ADDRESS: 1339 West "D" ST

CITY/COUNTY: Lincoln LANCASTER 68528

LICENSE NUMBER: F-22503 TELEPHONE: 402 438-3300

COPY

X1

PLEASE CHECK ONE OF THE FOLLOW

☒ ADDITION/ RECONSTRUCTION ☐ CHANGE OF LOCATION ☐ DELETION

☐ CHANGE OF LOCATION (this application will not be accepted if the license is moving into another jurisdiction)

Address From:

Indicate local governing body jurisdiction; city or county _____

Address To :

Indicate local governing body jurisdiction; city or county _____

- 1) INCLUDE A SKETCH OF THE PROPOSED AREA TO BE LICENSED (8½ x 11 PAPER - BLUEPRINTS NOT ACCEPTED) INDICATE THE DIMENSIONS OF THE AREA TO BE LICENSED AND THE DIRECTION 'NORTH' ON THE SKETCH
- 2) SUBMIT A COPY OF YOUR LEASE OR DEED DEMONSTRATING OWNERSHIP
- 3) IF YOU DO NOT KNOW WHAT JURISDICTION YOU ARE LOCATED IN, CALL THE CITY OF COUNTY CLERK
- 4) IN ORDER TO CLARIFY YOUR CHANGES, AN ATTACHED EXPLANATION IS ALWAYS WELCOME

AFFIDAVIT

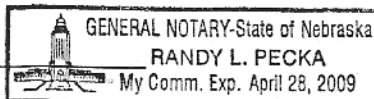
THE ABOVE REFERENCE REQUEST, AS FILED, WILL COMPLY WITH THE RULES AND REGULATIONS OF THE NEBRASKA LIQUOR CONTROL ACT.

Donald J. [Signature]
SIGNATURE OF LICENSEE

SUBSCRIBED IN MY PRESENCE AND FIRST DULY SWORN TO BEFORE ME ON THIS 20 DAY OF April, 2006.

[Signature]

NOTARY PUBLIC'S SIGNATURE & SEAL



Cashiers 1006387-45-mm
Rpt. 280340

LAND LEASE

COPY

This Land Lease, entered into this 12th day of April 2006, by and between Lincoln North Creek LLC, Landlord and Don Arena, DBA The Red Fox, Tenant, is for approximately 3,500sf located within Lot 2, Block 1, Earl Carter Addition, LLCN and a per Earl Carter

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Tenant hereby agrees to pay to Landlord a rental fee of \$800.00 per month until the 2006 Landlord or Tenant, with a thirty (30) day notice, cancels said Land Lease. Tenant upon notice of cancellation by either party will promptly remove all fixtures and improvements and return the land to original condition. Payments shall be mailed the 1st of each month to: Lincoln North Creek LLC, 8040 Eiger Dr. Lincoln, NE 68516. In addition, should Tenant decide to purchase Lot 2, Block 1, Earl Carter Addition, LLCN within 18 months, 1/2 of said rental payments shall be applied to the purchase price of \$6.00 per square foot (\$198,000.00 less \$400.00X the number of rental payments up to a maximum credit of \$7,200). Landlord reserves the right, after 18 months to adjust the agreed upon purchase price to fair market value but is not obligated to do so.

NEBRASKA LIQUOR
CONTROL COMMISSION

Tenant acknowledges and agrees that Landlord will continue to market the property to other interested parties and is not obligated to give Tenant "first right of refusal" or to notify tenant of any 3rd party interest in said land. This land lease agreement is a matter of convenience to both parties and in no way obligates either party to any terms other than Tenant's obligation to pay Landlord \$800.00 per month while Tenant occupies the land, and Landlord will credit 1/2 of lease payments back to Tenant in the event that Tenant purchases said land. No credit will be allowed if Tenant does not purchase the land as outlined. Tenant will provide proof of insurance that names Landlord as an additional insured at Tenant's sole expense.

Hold Harmless: Tenant hereby holds Landlord harmless of any liability whatsoever resulting from the Tenants use of the land and agrees to defend Landlord from any resulting lawsuits and reimburse Landlord for any reasonable expenses including attorney fee's should Landlord elect to engage its own attorney in the event of a lawsuit.

Landlord:

By:

Fred Matulka

Tenant:

By:

Don Arena

all conditions within to be assigned
to RFOX INC.

Danall JC
4-20-06

Exhibit A

PRELIMINARY PLAT #05009

FND. PK
MAIL

POINT OF
BEGINNING

SW 13TH STREET

40'
R.O.W.

0 30' 60' 120'

SCALE: 1"=60'

CORNER FOUND (#5 REBAR
 UNLESS OTHERWISE NOTED)
 CORNER SET (W"x24" REBAR
 W/ CAP STAMPED LS #607)
 MEASURED DISTANCE
 RECORDED DISTANCE
 PLATTED DISTANCE
 PLAT LIMITS
 EXISTING EASEMENT
 PROPOSED EASEMENT
 CENTER LINE

CURVE TABLE					
CURVE	DELTA	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	25°37'17"	78.26'	175.00'	S12°20'44"E	77.61'
C2	25°38'26"	201.38'	450.00'	S12°20'09"E	199.70'

LOT AREA TABLE		
BLOCK 1		
LOT	AREA IN S.F.	AREA IN AC.
1	43,315.60	0.9944
2	33,008.65	0.7578
3	56,365.53	1.2940
4	189,918.80	4.3599
5	39,289.69	0.9020
6	35,131.26	0.8065
7	29,631.21	0.6802

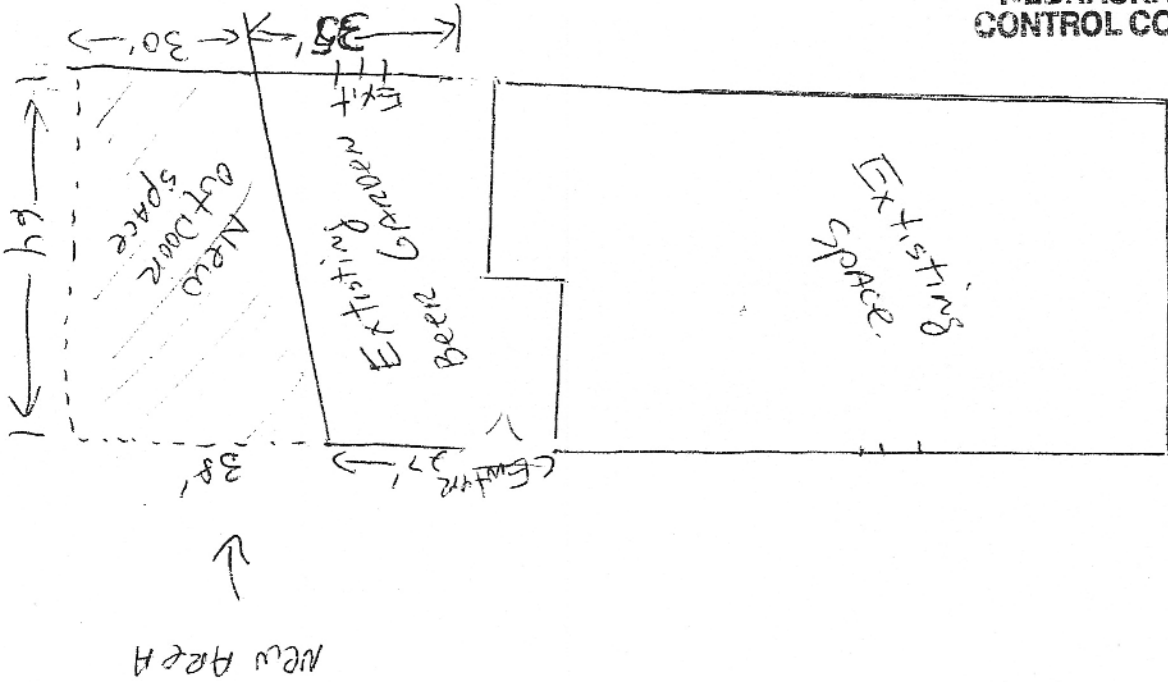
RECEIVED

APR 20 2006

NEBRASKA LIQUOR
CONTROL COMMISSION

West 10th St.

Parking



New 6' Chain Link fence
Around Area